



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael I. Neidich et al.
Title: Virtual Multichannel Speaker System

Application No.: 09/325,893 Filing Date: June 4, 1999
Examiner: Pendleton, Brian T. Group Art Unit: 2644
Docket No.: ZRAN.014US0 Conf. No.: 3423

Certificate of Mailing Under 37 CFR 1.8

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Mary E. Buggie

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In response to the final Office Action dated December 1, 2005 in the present application, the undersigned attorney performed searches outside of the patent application itself to determine the ordinary and customary meaning to one skilled in the art at the time of filing the present application in 1999 of the term "enclosure" when used in conjunction with audio speakers. This search was performed in early February 2006. The following paragraphs describe this search and its results.

The Google search engine was initially used to search for entries using the terms "speaker" and "enclosure." Over one million results were obtained. Looking through only a few of the results displayed on the first and second pages showed a common usage of the terms "speaker enclosure" and "subwoofer enclosure" to refer to a box, housing and the like in which audio loudspeakers are installed. "Enclosure" is the basic term used to identify such a structure. No instance was noted of a room in which an audio speaker is sitting to be referenced as an

"enclosure." However, establishing the dates of such descriptions is difficult, most of them likely being relatively current.

The Amazon.com website was then used to identify books that use the terms "speaker" and "enclosure." A list of 11 items was returned. A copy of that list is provided herewith. The four books identified as items 4, 6, 8 and 11 appear from the information provided on this list to have been published after the 1999 filing date of the present application, so were not further reviewed. Item 9 is clearly not relevant and item 7 has not been further reviewed since it pertains to the narrow application of automobile audio systems. Copies of the remaining five items 1, 2, 3, 5 and 10 were ordered, received and reviewed.

Each of these five books is identified and briefly described in the following paragraphs, in the order of the books on the Amazon.com list:

(#1) Alexis Badmaieff and Don Davis, *"How to Build Speaker Enclosures,"* Howard W. Sams & Co., Inc., The Bobbs-Merrill Co., Inc., 1966. Pages 9-15 describe "Five Basic Enclosure Types," which are illustrated to be pieces of furniture sitting in a room. A discussion on page 8 contrasts the speaker enclosure to the room of a house in which it the enclosure is placed.

(#2) David B. Weems, *"21 Custom Speaker Enclosure Projects You Can Build,"* Tab Books Inc., 1980. Various types of enclosures are described in Chapter 1 (pages 9-23), entitled "Enclosures," including illustrations 1-1, 1-2 and 1-3 that illustrate many boxes having different shapes and configurations as enclosures for audio speakers.

(#3) Robert G. Middleton, *"Building Speaker Enclosures,"* Radio Shack, 1972. Five basic designs for speaker enclosures are listed on page 7. Pages 20 – 23 describe the construction of speaker enclosures. Pages 23 – 25 discuss the room in which speaker enclosures are placed to be part of the sound system.

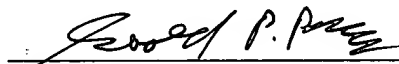
(#5) David B. Weems, *"Designing, Building, and Testing Your Own Speaker System,"* McGraw-Hill, 1997. The term "Speaker enclosures" is included in the Index (p. 221), with 40 references to sections or pages that use the term. Chapter 2 (pp. 11-21) is entitled "Kinds of Speaker Enclosures," and Chapter 3 (pp. 23-42), entitled "Speaker-Box Construction," describes how to construct speaker enclosures. As part of the Glossary, the word "enclosure" is defined (p. 213) as "The box that contains the woofer, tweeter, and any other drivers used in a speaker system."

(#10) John L. Murphy, *"Introduction to Loudspeaker Design,"* True Audio, 1998. Section 2.3 (pp. 17-34) is entitled "Loudspeaker Enclosure Types" and Chapter 4 (pp. 85-94) is entitled "Enclosure Design and Construction." The term "enclosure" is used throughout the book as structures that hold audio speakers.

Copies of each of the five books identified above and the Amazon.com list are being submitted herewith and are identified on an accompanying PTO Form 1449. European patent no. EP 1 183 911 B1, a counterpart of the present application, is also included. Review of each of these references and making them of record in the file of the present patent application are respectfully requested.

This information disclosure statement is submitted under 37 C.F.R. § 1.97(b) and consequently no fee should be required. The Commissioner is authorized, however, to charge any fee that may be required, or to credit any overpayment, against Deposit Account No. 502664, as set forth in the accompanying Transmittal Letter.

Respectfully submitted,



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February 23, 2006

Date

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U.S. Department of Commerce, Patent and Trademark				Atty. Docket No.		Application No.	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) (Form PTO-1449)				ZRAN.014US0		09/325,893	
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				Filing Date		Art Group	
				June 4, 1999		2644	

U.S. Patent Documents							
Initial	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate	

U.S. Published Patent Application Documents							
*Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate	

Foreign Patent Documents								
							Translation	
	Document	Date	Country	Class	Subclass	Yes	No	
	1	EP 1 183 911 B1	8/9/04	Europe		X		

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)	
2	Amazon.com: Books Search Results: speaker enclosure, http://www.amazon.com/exec/obidos/search-handle-url/ref=br_ss_hs/104-5099839-0887112?platfor... , February 6, 2006, 7 pages.
3	Alexis Badmaieff and Don Davis, "How to Build Speaker Enclosures," Howard W. Sams & Col, Inc., The Bobbs-Merrill Co., Inc., 1966.
4	David B. Weems, "21 Custom Speaker Enclosure Projects You Can Build," Tab Books Inc., 1980.
5	Robert G. Middleton, "Building Speaker Enclosures," Radio Shack, 1972.
6	David B. Weems, "Designing, Building, and Testing Your Own Speaker System," McGraw-Hill, 1997.
7	John L. Murphy, "Introduction to Loudspeaker Design," True Audio, 1998

Examiner	Date Considered
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.	